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ADVANCEMENT OF WOMEN

Costa Rica, Dominican Republic, Guinea-Bissau, Myanmar, Panama, Philippines and Russian Federation: draft resolution

Traffic in women and girls

The General Assembly,

Reaffirming faith in human rights and fundamental freedoms, in the dignity and worth of the human person and in the equal rights of men and women, enshrined in the Charter of the United Nations,

Reaffirming also the principles set forth in the Universal Declaration of Human Rights, 1/ the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 2/ the Convention on the Elimination of All Forms of Discrimination against Women, 3/ the International Covenants on Human Rights, 4/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 5/ the International Convention on the Protection of the Rights of All Migrant Workers and Their

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1/ Resolution 217 A (III).

2/ Resolution 317 (IV), annex.

3/ Resolution 34/180, annex.

4/ Resolution 2200 A (XXI), annex.

5/ Resolution 39/46, annex.

Families, 6/ and the Declaration on the Elimination of Violence against Women, 7/

Recalling that the Vienna Declaration and Programme of Action 8/ affirmed the human rights of women and the girl child as an inalienable, integral and indivisible part of universal human rights,

Aware of the illicit and clandestine movement of persons across national and international borders, largely from developing countries, with the end goal of putting women and girl children, who are forcibly recruited or inveigled through the use of duplicity, deceit or debt bondage, into sexually or economically oppressive and exploitative, and often life-threatening situations, for the profit or gain of recruiters, traffickers and pimps who are usually organized into syndicates,

Aware also of other illegal activities related to trafficking, such as domestic labour, false marriages, clandestine employment and false adoption,

Noting the increasing number of women, girls and youth from developing countries and from economies in transition who are being victimized by traffickers,

Recalling that Commission on Human Rights resolution 1994/45 of 4 March 1994 calls for the elimination of trafficking in women for purposes of prostitution,

Convinced of the need to eliminate all forms of sexual violence, sexual exploitation and sexual trafficking, which are violations of the human rights of women and girl children,

Realizing the urgent need for the adoption of effective measures locally, regionally and internationally to protect women and girl children, as well as youth, from this nefarious traffic,

1. Expresses grave concern over the worsening problem of trafficking, particularly the increasing syndication of the sex trade and the internationalization of the traffic in women and girl children;

2. Welcomes the Programme of Action of the International Conference on Population and Development, 9/ held at Cairo, from 5 to 13 September 1994, which called on all Governments to prevent all international trafficking in migrants, especially for the purpose of prostitution, and for the adoption, by

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6/ Resolution 45/158, annex.

7/ Resolution 48/104.

8/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

9/ A/CONF.171/13 and Add.1.

Governments of both receiving countries and countries of origin, of effective sanctions against those who organize undocumented migration, exploit undocumented migrants or engage in trafficking in undocumented migrants, especially those who engage in any form of international traffic of women, youth and children;

3. Welcomes also the recommendation made by the Council of the European Union, addressed to its member States, to intensify regional efforts against the trafficking of human beings to work as prostitutes by enhancing police training on anti-trafficking legislation and police work in other countries, improving the collection and exchange of relevant information nationally, finding ways to expand awareness among diplomatic, consular and border officials of trafficking for prostitution so as to stem this traffic by examining visa requests, and strengthening the Council's work on trafficking for prostitution in terms of administrative, police and judicial cooperation, as well as understanding its migration elements;

4. Welcomes further the recommendation of the Council of Central American Ministers of the Interior, addressed to their respective Presidents, that trafficking in migrants be criminalized and prison terms meted out to those convicted of organizing, directing, promoting, supporting or carrying out clandestine movements of nationals or foreigners, and that the penalty be increased when the guilty party is a public official or employee;

5. Invites attention to a proposal by the Director of the International Centre for Migration Policy Development, addressed to Governments in receiving countries, to adopt a policy which combines control and prevention, through (a) criminalization of migrant traffic and harmonization of their anti-trafficking legislation, especially in terms of penalties, and (b) cooperation between countries of origin and countries of destination to confront the causes underlying traffic, particularly the creation of immediate-impact job-creation measures;

6. Encourages Governments to make use of information regarding the volume of traffic of migrants, their motivations, routes taken, prices paid and other relevant information which may be gathered by social workers, police officers, immigration interviewers and others who come into direct contact with these migrants and traffickers, by organizing such information into a readily useful form to aid in the development of anti-trafficking measures, and to be exchanged with other Governments concerned;

7. Urges Governments to apply criminal sanctions for offences relating to the traffic in persons and slavery and to take all appropriate measures in order to ensure that the victims are exempted from prosecution and that protection, assistance, support, legal advice, treatment and rehabilitation are given to the victims, and that those victims who wish to prosecute their traffickers be granted permission for temporary residence;

8. Invites the Governments concerned, with the assistance of relevant United Nations agencies and intergovernmental organizations, as well as members of the civil society concerned, to set up reception centres for the victims of traffickers, to arrange for emergency maintenance, gather information on

individual cases for use by the competent authorities in determining possible refugee status, and to cooperate with one another in developing an international mechanism to set up a programme of rehabilitation and to assure the prompt return, in dignity and safety, of migrants who have been the victims of trafficking;

9. Calls upon all Governments to take appropriate measures to prevent economic activities, such as the development of tourism and the export of labour, from being exploited and misused by traffickers;

10. Urges all States to implement provisions relating to the traffic in persons, the exploitation of prostitution and slavery as contained in the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 2/ the Slavery Convention 10/ and all other relevant international instruments;

11. Calls upon all relevant bodies and specialized agencies of the United Nations system, intergovernmental organizations and non-governmental organizations to monitor the global traffic in women and girl children, as well as youth, and to gather pertinent data from both countries of origin and of destination regarding the numbers of persons involved in trafficking or cases of victimization by traffickers, existing statutes, regulations and policies relative to trafficking and the actors, whether private persons or Governments or organizations of States, as well as information on the causes and effects of trafficking;

12. Calls further upon all relevant bodies and specialized agencies of the United Nations system, intergovernmental organizations and non-governmental organizations to set up public information campaigns in countries affected by trafficking in order to create a better public awareness of the problem;

13. Recommends that the Special Rapporteur on Violence against Women of the Commission on Human Rights and the Working Group on Contemporary Forms of Slavery of the Subcommission on the Prevention of Discrimination and Protection of Minorities pay special attention to cases of sexual exploitation and trafficking;

14. Invites the World Summit for Social Development, the Fourth World Conference on Women: Action for Equality, Development and Peace and the Ninth Congress on Crime Prevention and the Treatment of Offenders to consider including in their respective programmes of action the subject of the traffic in women and girls as well as youth;

15. Further recommends that possibilities be examined to establish a special working group to evaluate and recommend possible improvements in the existing international legal instruments concerning the elimination of all forms of traffic in women and girls, as well as youth;

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10/ United Nations, Treaty Series, vol. 212, p. 17.

16. Requests the Secretary-General to submit a report, through the Commission on the Status of Women at its thirty-eighth session and the Economic and Social Council at its substantive session in 1995, to the General Assembly at its fiftieth session, on the implementation of the present resolution under the item entitled "Advancement of women".

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